



S/N 09/892,727

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Swix et al. Examiner: Kirubel Aklilu  
Serial No.: 09/892,727 Group Art Unit: 2617  
Filed: June 27, 2001 Docket No.: 60027.0018USU1/BS 01040  
Title: REMOTE DIAGNOSTIC TOOL FOR A MEDIA DELIVERY NETWORK

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on August 4, 2005.

By: Murrell W. Blackburn  
Name: Murrell W. Blackburn

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

08/09/2005 AKELECH1 00000020 132725 09892727  
01 FC:1806 180.00 DA

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Please charge the fee of \$180.00 to Deposit Account No. 13-2725 for consideration of the item listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

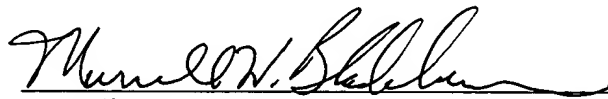
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

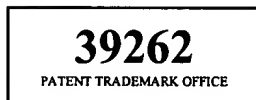
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted

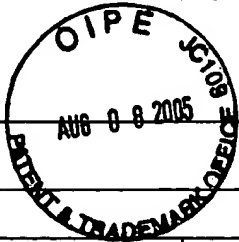
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(404) 954-5100

Date: August 4, 2005

  
Murrell W. Blackburn  
Reg. No. 50,881



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| <b>FORM 1449*</b><br><b>INFORMATION DISCLOSURE STATEMENT</b><br><br><b>IN AN APPLICATION</b><br>(Use several sheets if necessary) | Docket Number:<br>60027.0018USU1/BS01040 | Application Number:<br>09/892,727 |
|   | Applicant: Scott Swix et al.             |                                   |
|   | Filing Date: June 27, 2001               | Group Art Unit: 2184              |



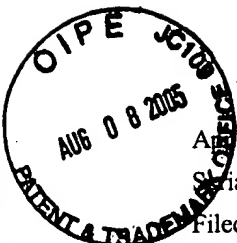
| U.S. PATENT DOCUMENTS |              |      |      |       |          |                               |
|-----------------------|--------------|------|------|-------|----------|-------------------------------|
| EXAMINER<br>INITIAL   | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|                       |              |      |      |       |          |                               |
|                       |              |      |      |       |          |                               |
|                       |              |      |      |       |          |                               |
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| FOREIGN PATENT DOCUMENTS |              |      |         |       |          |             |    |
|--------------------------|--------------|------|---------|-------|----------|-------------|----|
|                          | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|                          |              |      |         |       |          | YES         | NO |
|                          |              |      |         |       |          |             |    |
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|                          |              |      |         |       |          |             |    |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |   |
|--|--|---|
|  |  | Office Action Summary issued on U.S. Serial No. 09/893,332 dated April 7, 2005 (10 pages) |
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| <b>39262</b><br>PATENT TRADEMARK OFFICE |
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| EXAMINER  | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. |                 |



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott Swix et al. Examiner: Kirubel Aklilu  
Serial No.: 09/892,727 Group Art Unit: 2617  
Filed: June 27, 2001 Docket: 60027.0018USU1/BS01040  
Title: Remote Diagnostic Tool for a Media Delivery Network

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 on August 4, 2005.

By: Murrell W. Blackburn  
Name: Murrell W. Blackburn

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 1 Reference(s)
- ☒ Please charge the amount of \$180.00 for fee for Information Disclosure Statement
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould LLC  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
404.954.5100

By: Murrell W. Blackburn  
Name: Murrell W. Blackburn  
Reg. No.: 50,881  
MWB/omh